



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 8, 1997


Charles H. Roistacher, Esq.  
Brett G. Kappel, Esq.  
Powell, Goldstein, Frazer & Murphy, LLP  
1001 Pennsylvania Avenue, N.W., Sixth Floor  
Washington, D.C. 20004

Dear Messrs Roistacher and Kappel:

I received your letter of 2 October, 1997, in which you alleged that three former employees of Enid '94 - David Harner, KayLin Loveland, and Peter Valcarce- may have violated the confidentiality provisions at 2 U.S.C. § 437g(a)(12) of the Federal Election Campaign Act of 1971, as amended ("the Act"). This letter is to inform you that if you want the Commission to consider the matter discussed in your letter, you need to file a formal complaint with the Commission pursuant to 2 U.S.C. § 437g(a)(1) of the Act. In particular, the complaint must be sworn to and signed in the presence of a notary public and notarized. Your letter did not contain a notarization on your signature and was not properly sworn to, therefore, the letter could not be treated as a complaint. The Commission is not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

You also should be aware that if you choose to file a complaint, that complaint would be assigned a separate MUR number and would be handled independently of MURs 4322 and 4650. If you have any questions concerning this matter, you may contact me at (202) 219-3690.

Sincerely,

  
Kamau Philbert  
Attorney